

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PARENTS OF DANIELLE

Plaintiff,

vs.

Civil Action No. 04-10994-NMG

MASSACHUSETTS DEPARTMENT OF  
EDUCATION, DAVID P. DRISCOLL,  
COMMISSIONER and SCHOOL  
COMMITTEE FOR THE TOWN OF  
SHARON: SAM LIAO, ANDREW  
NEBENZAHL, DONALD GILLIGAN, JANE  
FURR, MITCH BLAUSTEIN, AND  
SUZANNE PEYTON

Defendants,

**SCHOOL COMMITTEE DEFENDANTS'**  
**MOTION TO DISMISS COMPLAINT**

The Defendants School Committee for the Town of Sharon and its members, Sam Liao, Andrew Nebenzahl, Donald Gilligan, Jane Furr, Mitch Blaustein, and Suzanne Peyton ("School Committee Defendants") pursuant to F.R.C.P. 41(b), hereby request that this Court dismiss the Complaint, with prejudice, based upon the Plaintiffs' failure to prosecute this action. In support of this motion, the School Committee Defendants rely upon the affidavit of Tammy L. Richardson and the memorandum of law filed herewith.

SCHOOL COMMITTEE FOR THE TOWN OF  
SHARON: SAM LIAO, ANDREW NEBENZAHL,  
DONALD GILLIGAN, JANE FURR, MITCH  
BLAUSTEIN, AND SUZANNE PEYTON

By their attorneys,

*T. Richardson*

Barry L. Mintzer, BBO #348940  
Tammy L. Richardson, BBO #567766  
Deutsch Williams Brooks DeRensis &  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of  
the above document was served upon  
the attorney of record for each party  
by first-class mail/ ~~hand~~ on this date.

*T. Richardson*

7-14-05